COUNTY OF THE RESULT OF THE STATE OF THE STA

GIS INVICED A. R. DYETT, Atterney for insert Court Cou

SUPREME COURT.—In the matter of the

animproved is de affected the roby, and to all others whom is may concern, as follows, to wit:

First. That we have completed our Fritimate and Assessment and that all persons whose interests are affected there by, and who may be opposed to the same, do present their objections in widths, they writing to MONICS MAYNARD Jr., because our Chairman, at the affice of the Commissioners, J. M. Eag, and Chairman, at the affice of the Commissioners, J. M. Eag, and Chairman, at the affice of the Commissioners, J. M. Eag, or Chairman, at the affice of the Commissioners, J. M. Eag, or Chairman, and the affice of the commissioners, J. M. Eag, vol. 1998.

for of December, 1954.

Account That any person or persons who may consider themlayers agglewed by said Estimate and Assessment, will be
bread to opposition to the sates, before us, at the effice of
1011NA WEEKS, No. 28 Wallet, in each city, at Swidowle
P. M., on the 12th day of January, 1855.

THIRD That the Abstract of the said Estimate and Assessment, together with our maps, and slee all the affiliavits, exitmates, and other decounserts which were used by us in unaling
our report, have been deposited in the Street Commissionart Office of the City and Country of New York, there to remain until the did of February, 1855.

FOURTH That the limits embraced by the Assessment foresaid are as follows: All these pieces of land situated in the said
city, bounded, described, and containing as follows, that is to
asy 10 in the north, by the southerly line or side of Stribat, on
the south, by the northerly line or side of Stribat, on
the south, by the northerly line or side of the three three countries on the said;
the stribulary line or side of 11th av. And also, at those other
the lots functing on the westerly side of the Lith av., between
8th and 6th site, and of the last map of the
8th and 6th site, afterward, as included the said map of the
8th and 6th site, afterward, as included the said map of the

issioners.
H. That our report herein will be presented to the Su-

New-Dork Daily Tribune

THE CANALS OF NEW-YORK.

THEIR CONDITION, EARNINGS AND PROSPECTS

REPORT OF THE AUDITOR.

CANAL DEFARTMENT, ALBANY, Dec. 30, 1854.
To the Legislature and the Commissioners of the Canal
Fund. Find.
On the let day of October in the year 1853 there were belonging to the Canal Fund on hand:
Depoils in Bank.
Investments, securities in the custody of the
157,725 68

Total. 67.592,002 87
The payments during the year bave been 4 220,003 83 Total balance at the close of the year. \$3,564 063 54 Of this balance there is deposited in Banks. \$3.20,022 de la rested Securities in the custody of the Auditor. 145.728 68

Pue from the General Fund. 197,632 71

..... \$1,750,790 VI

Amount set apart under the requirements of the constitution as a sicking fund for the loan of \$2.250,000, made during the last fiscal year:

| Pre-exinguishment of principal | 15,591,25 | 25,661,72 | 26,861,72 | 26,861,72 | 26,861,72 | 26,861,72 | 26,861,72 | 26,861,72 | 26,861,72 | 26,861,72 | 26,861,72 | 26,861,72 | 26,861,72 | 26,861,72 | 26,861,72 | 26,861,72 | 26,861,72 | 26,861,72 | 26,861,72 | 26,861,72 | 26,861,72 | 26,861,72 | 26,861,72 | 26,861,72 | 26,861,72 | 26,861,72 | 26,861,72 | 26,861,72 | 26,861,72 | 26,861,72 | 26,861,72 | 26,861,72 | 26,861,72 | 26,861,72 | 26,861,72 | 26,861,72 | 26,861,72 | 26,861,72 | 26,861,72 | 26,861,72 | 26,861,72 | 26,861,72 | 26,861,72 | 26,861,72 | 26,861,72 | 26,861,72 | 26,861,72 | 26,861,72 | 26,861,72 | 26,861,72 | 26,861,72 | 26,861,72 | 26,861,72 | 26,861,72 | 26,861,72 | 26,861,72 | 26,861,72 | 26,861,72 | 26,861,72 | 26,861,72 | 26,861,72 | 26,861,72 | 26,861,72 | 26,861,72 | 26,861,72 | 26,861,72 | 26,861,72 | 26,861,72 | 26,861,72 | 26,861,72 | 26,861,72 | 26,861,72 | 26,861,72 | 26,861,72 | 26,861,72 | 26,861,72 | 26,861,72 | 26,861,72 | 26,861,72 | 26,861,72 | 26,861,72 | 26,861,72 | 26,861,72 | 26,861,72 | 26,861,72 | 26,861,72 | 26,861,72 | 26,861,72 | 26,861,72 | 26,861,72 | 26,861,72 | 26,861,72 | 26,861,72 | 26,861,72 | 26,861,72 | 26,861,72 | 26,861,72 | 26,861,72 | 26,861,72 | 26,861,72 | 26,861,72 | 26,861,72 | 26,861,72 | 26,861,72 | 26,861,72 | 26,861,72 | 26,861,72 | 26,861,72 | 26,861,72 | 26,861,72 | 26,861,72 | 26,861,72 | 26,861,72 | 26,861,72 | 26,861,72 | 26,861,72 | 26,861,72 | 26,861,72 | 26,861,72 | 26,861,72 | 26,861,72 | 26,861,72 | 26,861,72 | 26,861,72 | 26,861,72 | 26,861,72 | 26,861,72 | 26,861,72 | 26,861,72 | 26,861,72 | 26,861,72 | 26,861,72 | 26,861,72 | 26,861,72 | 26,861,72 | 26,861,72 | 26,861,72 | 26,861,72 | 26,861,72 | 26,861,72 | 26,861,72 | 26,861,72 | 26,861,72 | 26,861,72 | 26,861,72 | 26,861,72 | 26,861,72 | 26,861,72 | 26,861,72 | 26,861,72 | 26,861,72 | 26,861,72 | 26,861,72 | 26,861,72 | 26,861,72 | 26,861,72 #5,957 29

Paid into the Treasury to defray the necessary ex-\$00,000 00 #194.062 71

Defeiency.

It will be perceived by the preceding statement that the revenues of the Canals for the past fiscal year have not been sufficient to meet all the constitutional charges upon them, and that there is a deficiency of \$194,062.71 to answer the appropriation made by the Constitution of \$200,000 to the General Fund for the support of Government.

Following the custom set by his predecessors, for the convenience and accommodation of the General Fund, and not anticipating such deficiency, the Antitor has, in quarterly installments, already during

Following the custom set by his predecessors, for the convenience and accommodation of the General Fund, and not enticipating such deficiency, the Auditor has, in quarterly installments, already during the fiscal year advanced the \$200,000 to the Controller for the General Fund.

The only justification the Auditor can offer for such payment is, that it was done in obedience to a specific appropriation, and in conformity with prior custom, without knowledge or expectation of a deficiency, and that it was impossible for him to ascertain the true state of the accounts, and the fact that there would be a deficiency, until after all the accounts of the year were settled and the balance struck, which must necessarily require some work after the close of such year, \$20,000 of which sum was advanced by the former Auditor before the accession of the present Auditor to effice. It will be necessary, therefore, that the payment of such contribution to the General Fund for the support of Government be withheld bereafter until the Canal Fund has been refunded the amount thus overpaid.

It is much to be regretted that the revenues of the Canals for the past fiscal year have not been equal to the contitutional charges upon them. They have, however, met all the requirements made upon them for the benefit and protection of the bolders of the State Stocks, issued for their benefit, and the General Fund only suffers.

With a revenue diminished by untoward causes, arising from the unexampled commercial embarrassments in the country, which no haunts foresight could acticipate, or however, which no haunts foresight could acticipate, or however, which no haunts foresight only active the contitutions of the departs of the state Stocks, issued for their benefit, and the General Fund only suffers.

With a revenue diminished Canal, strugging uncer every disadvantage, against works and lacilities furnished by private corporations and individual enterprise, adapted to and keeping pase with the wants and demands of trade and connectes, and b

a rigid, iron rule, unyielding and unaccommodating to any circumstances.

In a country such as this, where everything beto-kees progress—where improvements are constantly being made or demanded, to meet the erigencies of the times, and where, if not made, trade is forced to work out new and other channels, it appears astoniahing to see public works, such as ours, crippled by a policy which has denied them for years the opportunity and means of developing those resources which alone are wanting for the realization of a golden harvest.

harvest.

By the late amendment of the Constitution, how-By the late amendment of the Constitution, how-ever and the judicious application of the means which are thereby appropriated for the improvement and completion of the Canals, those great State works will soon be placed in a vituation in which they can compete successfully with their iron bound rivals, and answer with ease all the constitutional demands pisced upon them.

EXPENDITURE BY SUPERINYENDENTS.

half a million of collars, and have remained nearly stationary since.

It the searon of navigation for 1851 the amount of tunnage upon the Canals was 3.82,733 tms, and the tells thereon amounted to \$3.329,727. In the same season of 1852 the tunnage amounted to 3.83,441 turs, being an increase of 280.788 tms, while the tells amounted only to \$3.118,244, being a dimination of \$211,483, and in 1853, with an increased tunnage over 1851 of 665,120 turs, there was a falling off in the tells below those of 1851 of \$125,009. Upon the tunnage of 1852, at the rates of toll of 1851, the revenues of the Canals for 1852 would have been \$3,509,412, which exceeds the actual revenues \$472,058. The following table shows the reductions, and the losses occasioned to the revenues thereby. And it exhibits conclusively that the reduction of tolls at such time practically operated for the benefit of forwarders, to the injury of the State, and was not upon articles which needed the reduction to invite and increase their transportation:

Articles Re-			Toll on ar ticles in 5t. red'd in 'St.	Tril ou same articles at rains of '52	Olffer'nee la roll coll'd on art's reduc'd	Per cent, of reduct'n on attereduc'd
Merchandlee Merchandlee Railread Iron Down freight .	25	4 4 1.5	1:0,61	277,189 203 639 72 569 385 251	49,345	50 20 47 22 64
			1 330,058	890 447	4 19 G:1	33

Between the years 1851 and 1852 the per cent of reduc-tion on all in erchandiae reduced from 8 and 5 mills to 4 tion on all n erananciae reactions in 10 all tolls (\$43,529,777) for seases on of new tolls on the sease of new tolls on down freight 4515.

Per cent. of reduction in tolls on down freight 4515.

There can be no doubt that a judicious revision of the rates of tolls, and a reasonable increase upon many articles which are now too low, would add much to the revenues; and it is perfectly evident that the tells in 1850 and 1851 were much nearer the most productive revenue standard than they have been at any

ductive revenue standard than they have been at any time since.

Totals upon mallocates.

There can be no question that the revenues of the Canals are much and severely affected by the carrying-trade of Railroads running through this State or portions of it. Those roads have been built and are swind by Corporations, the creatures of State legislation, and subject to its control. Under the laws of the State they are enjoying extraordinary rights and privileges; and it appears to the Auditor that, under the present condition of the finances and the state of the Canal revenues, justice and equity demand that those Corporations should, until the Canal is completed, be required to pay, upon some equitable basis in the form of tolls upon the tunnage transported by them, a bonus to the State for such rights and privileges. It is not right that the people should be taxed to make up a deficiency, occasioned in part, at least, by the privileges enloyed by such Corporations. Of the right to impose such toil there can be no doubt. All such Railroad Corporations are the creatures of State legislation. They are indebted to the State Inrough the acts of the Legislature, for their existence and vitality. By no other power could they have been brought into existence. In their creation it was in the power of the Legislature to vest them with so much, or as little power, rights and privileges as might be deemed proper. The Legislature could then have vested them with power to carry freight, or probibit it altigether. Having the right to confer or desy that power, as a natural consequence, being sovereign, they could, in conferring it, prescribe the conditions on which it could be exercised. A right to exclude must and does include the right to tax. By section I of article 8 of the Constitution of this State, the people have reserved to the Legislature the right, from time to time, to alter or repeal all special acts or general laws in relation to the creation of such corporations. The right of regulation or prohibition has not, t TOLLS UPON RAILROADS.

emergence, the Legislature will lake the subject into consideration, and impose such to is upon the tac-bage of the several Hallroads diverting trade from the several State Canals, as will serve in a measure, at least, to protect and maintain the revenues of the State, and be neither unjust nor unequitable toward

Such protection is needed now while the Carals are unfinished, and, by rescon of their incomplete condition unable to compete successfully with the iron-bound roads. But after the enlargement shall be completed the necessity for demanding tells upon

Railroads will have ceased, and then, without doubt, the Canals will be able to maintain themselves successfully, profitably and triumphantly.

The Auditor has heard it alleged by many that the recources of the canals are not seriously affected by railroads; and, therefore, there is not in fact any just cause for the imposition of toil upon the tunnace of these roads. But he has always regarded such affects of the imposition of toil, then as being seriously alleged as facts. At the north there is the Northern Railroad, constructed for the avowed purpose of diverting a portion of the western trace from the New York State canals, through the Welland Canal, Lake Ontario and the St. Lawrence, to O doubtars, and thence to Beston, and carrying over 200 600 tass of freight per annum, as appears by the report of the State Engineer for the Jest 1853. There are also the Benteliar and Sarating, and the Saratoga and Washington Railroads, each converging, annually, as appears by their respective seports, over 50 000 tans of freight through that region of country for the accommodation of which the Northern Canal was built, and the Albany Northern Road, lately finished and in operation, running through the same region on the other side of the casel. In the central portion of the State is the New-York Central Railroad, ranning nearly parallel, and in the immediate vicinity of the Eric Catal for its entire length, and having transported during the last faced year, as aspears by their report, lately published, 348 805 tans of freight. There are also the tributaries of such road, its Wastowam and Rome Railroad, carrying, armuelly, over 100 000 tans of freight in that recommend to the State, from the Henson River to Lake Free and the Albany Archive the Buffalo and New York Catal, and the Canandaigua and Emma Railroads, connecting with the Canandaigua and Emma Railroads, connecting with the Canandaigua and Empa section of the State, from the Henson River to Lake Brea and Binghanton Railroad, lately finished drawing trom the Eric Ca

Northern	5874 5 1,754 1,756 3,167 7,160	Total Moremes 19:06:143 1:070:751 1:763:165 1:601:667
Oswe, a and Eyrectus. 3 New York and Err. nuther Curning and New York 2 Budalo and New York City. 5 Casung and Susquisanna 6 Casenoglan and Elmira 5	9 410 1 659 4 189 2 369 0 274 6 591 0 748	1,072,415 101,638,522 67, 177 1,789,112 2,147,657 1,760,692 577,646
Total1 27	9.1/21	137,001,042

general estimation, many times before the b loaced and not with particularity. The true bit put into the captain's hands, but is forwarded, b or express, to the consigners. In such cases, it is

loaced and not with particularity. The true bill is not put into the captain's hands, but is forwarded, by mail or express, to the consignees. In such cases, it is a very easy matter to wader estimate, upon such skeleton bill, the weight of articles charged with high rates of toll, and over-estimate the weight of those charged with lower rates, and making the aggregate estimate of weight conform to the true weight of the cargo; no error can be detected by weigh-lock, and the Canal revenues, consequently, suffer, unless detected by extraordinary vigilance on the part of the Canal officers. Some cases of such character have been discovered, and in every case the Auditor has directed the penalties to be enforced, and has not regarded the excuse of its being occasioned by the system of transacting business, without intent to defraud, as being of any avail. He considers the forwarder in preparing and furnishing the bill, and the captain in preparing and furnishing the bill, and the captain in preparing a true bill, as it should do, is a cead latter. One mode adopted to a very great extent for such purpose, is clearing articles chargeable with a high rate of toll, as artisles paying a much lower rate, and omiting articles thus concealed from the bill of lading. Some extensive frames of such character have been discovered and the full penalty of the law in every case ordered to be enforced. The penalty now is treble tolt, one third of which is given to the officer making the decovery. This penalty is insufficient to form a proper protection, as a penalty, to the State. Those who are sufficiently debonest and loose in their habits to attempt such a fraud, will, with such light penalty, run the hazard of discovery thinking if discovered in one instance, they will more than make up the loss by their gains in those instances in which they will be undiscovered. The penalty should, therefore, be increased by ferfeiting the boat and cargo or at least the articles attempted to be passed fraudalently, and the presentation of a

The effice of Inspector was created for the protection of the revenue and the detection of fraud. It may have been effectual for such purpose in times care by. But it is not so any longer. With but few benorable exceptions, the duties have been very indifferently discharged; and were it not for the vigilance of other efficers then Inspectors, feated upon the reverues would have gone unchecked. It is not to be disguised that the office has been treated and locked upon to a very great extent, as a sinceoure and a reward for political services; and the incumbents have, therefore, felt impatient at being called upon to perform the legitumate cuttles appertaining to their office. Before the opening of navigation the present season, at the suggestion of the Anditor, the Canal Board passed a regulation requiring inspectors to make weekly returns, under eath, of their inspections to the Anditor. It was hapei that by this means, more vigilance and activity in the discharge of the duties of the office might be created. But the Anditor regrets to say that it has proved a failure; and that a very large majority of the returns show that the duties of inspector have rested very easily and lightly upon the time and consciences of most of the incumbents. As it is not and beets and their cargoes.

The office of Inspector was created for the protec-

cannot be, expected that all boats will be thoroughly impected, the best practicable mode of preventing and detecting franch is for the Inapector, frequently not indiscriminately, to select a boat arriving at its place of destination, and attend to the tallying off of the cargo, and make his selections in such way that each forwarder may suppose that his boat may be the one of selected. Such fact the Auditor his encessored to arge and impress upon the minds of the Inspectors, but with no beneficial effect. The general inspection of bests, just clear ing from their starting place, and consisting, as it does, in most instances, in simply measuring the depth of water crawn by the beat, or walking apon the ceck and taking a "general look at so much of the cargo as is in plain sight, is idle as a means of detecting fraud. And such remark it, of course, equally true when such general inspection is made at place of destination or any other point.

The following summary of the returns of the Inspectors, for the past year, will show that as a general time frame has nead suchme to fear from their vigi-

spectors, for the past year, will show that as a general thing, fraud has had bothing to fear from their vigi-

arce:		Fince.		Character of Inspection			
Revision of Importers.	Whole No in species reports	Of clearance	ance & destin's	Of destination	Sy general in	By tallying of	By tallying on
New-Yerk	5 1160	-		1065	1004	- 2	
Brocklyn	2 172		77	\$72 4679	4712	**	- 3
A Lace	4 4742	41	794	1117	1948	-	
West Trey & Trey.	1 1157	163	550	98	1114		3
Schetectady	5 554	100	571	22	520	14	-
Fulcab	2 1.17	230	265	664	1142	19	36
Kene	1 107	200	65.2	45	1209	18	-
Syrecore	1 847	29	762	- 86	241	- 6	**
Kochester		213	8563	217	1249	34	- 1
Leekport		87	2.75	96	242	85	- 31
Tozawatch	1 794	623	159	2	786	2	-
Lower Dia & Rock.		246	211	-	457		-
Pubalo	4 7 7	4991	-	18	7126	1	-
Whitehell	1 3 8	2994	22	65	3077	4	- 3
Saliza	1 578	545	221	10	516	1	- 61
Chwege	3 213	1/20	58	26.7	\$16	- 3	-
	1 1230	156	505	85	1206		-

Total.

Total.

There was expended during the last fiscal year, in addition to the old appropriations, upon the several Canan out of such new appropriation:

For the caleyrement of the Kris. \$404.79 22

For the snarp ment of the Cayara and Server.

For the caleyrement of the Cayara and Server.

For the competion of the Black Alver.

For the competion of the Geneses Val. 25 467 44

For the competion of the Geneses Val. 25 467 44

There has been expended, during due preserves, upon such Charles.

For the enlargement of the Colors, 21,547 to For the enlargement of the Colors, 21,547 to For the enlargement of the Colors, 21,547 to For the colors ment of the Layaga and Senera.

For the colorsement of the locks, Ch. mplain.

For the completion of the Black River.

For the completion of the Genesee Val. 43,0 6 co. Amount anexpended of the appropriations......3 377 033

#1 509,000 c0

Tetal #1 509,000 c0

Of such unexpended balance there belongs to the appropriations made for the several Canals as follows, to wit:

#1 509,000 c0

Appropriation made for the several Canals as follows, to wit:

#2 977,001 91

Owerso 218,874 22

Cavas and Sereca 130 776 93

Locks of the Champish 40,300 03

Black River 97,735 00

General Velley 91,238 47

Total unexpended balance...\$4,577,08-65

In stating the above balances as unexpended upon the appropriations of the enlargement of the Eric and the completion of the Genesee Valley Canals the sum of \$34,000 has been deducted from the special appropriation to the Eric and added to the appropriation for the Genesee Valley Canal, under a resolution of the Canal Board passed in pursuance of sec. I. chap. 330 of the Laws of 1834.

Under the authority of the law passed at the last session of the Legislature to carry out the provisions of the Amendment of the Constitution, contracts to a large amount have been entered into by the Contracting Board and filed in this Department. The amount let upon each of the several Canals, with the estimated cost at contract prices and at engineers estimated, are as foliows:

imates, are as follows: Estimated cost at contract prices	At Engineers'
Erie \$3.809.533.44 Ocwego \$410,497.25 Cayuga and Secena 255.311.45 Changlain 67.294.10 Black River 131,910.50	\$4,631,781,95 508,008,25 290,305,07 89,452,19 144,130,09
Genesce Valley 104 075 00	125,350 00

The restrictions which were wisely thrown around

the Contracting Board in the making of contracts, have operated advantageously, and equaled the an-ticipations of its warmest friends. UNATALLABLE FUNDS RELONGING TO THE CANAL

At the last session of the Legislature the moneys At the last session of the Legislature the moneys which might be realized from the sale of the Bank Fund Stock were appropriated to pay certain demands; and, for the purpose of meeting such appropriations, the Commissioners of the Canal Fund have disposed of such stock at par. \$12,000 thereof have been disposed of to the Controller and the balance, \$123.000, was taken and transferred as an investment for a portion of the premiums arising from the loans made carring the year. Such sale reduces the unavailable securities on hand to the pertion of the premiums arising from the loans made curing the year. Such sale reduces the unavailable securities on hand to the percentage of the percentag

The account state room the stock scale with the Patchin The \$50,000 of tolls deposited with the Patchin Bank has been secured and deposited in the Chau-

The \$50,000 of tolls deposited with the Patchia Bank has been secured and deposited in the Chautauque County Bank.

The Knickerbecker Bank has paid the State the amoust of tolls on deposit when the Bank stopped.

The moneys in the Empire City and Control Banks are believed to be abundantly secured, and the officers of each of such Banks have given the strongest essurance of a speedy adjustment without the necessity of reserving to proceedings against the survive. surcties.
The balance still due from the Empire City Bank is \$15.961 27.
The balance still due from the Central Sana is.... 12.761 25.

Making in all the sum of 20,722 52

It is due to the Empire City Bank that it should here be stated that the Antitor has been informed that, in addition to the sunal bond executed by Banks and their sursties, the Directors of the Empire City Bank have lately secured the State for the repayment of the Canal deposits in their Bank, by Mortgage apon real estate in the City of New-York, said to be smple security for such purpose.

THE CANAL DEST AND SINKING FUND.

The total amount of the Canal stock debt, as it existed on the 1st day of October, 1853.

Security 15.

the lean made in 1848, to supply deficiencies, amounting to \$1,315 819 34. On the lat day of January, 1856, there will become due of the five per cent. stock dobt issued for the Eris Canal Enlargement, the sum of \$4,000 000.

of \$4,000 COO.

In the sinking fund for the redemption of the Canal debt, the balance on hand 30th September 1808 was.

Rece we desing the 60-cal year common one Oct. 1, 1835, from the reveaux of the State Canal.

From the proceeds of taxes under Chapter 851.

In of 1834 in repayments of losses 1, 1805, 600 co. 1, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 1805, 18

lette eccraing pilor to June 1, 1816. Ca - L of 10 936 mi 983 131 21 62 218,638 78

Total.

The Sinking Fand will be equal to all charges upon it prior to Jan. 1, 1856; there will then be a ded-case of about \$3,00,000 to meet the debt then due. Such amount can than undoubtedly be procured on the credit of the Sinking Fund without resorting to

cency of about \$3,000,000 to meet the debt then due. Such amount can than undoubtedly be procured on the credit of the Sinking Fund without respecting to equitable taxes.

Uncer the provisions of the late amendment of the Constitution, a law was passed, at the last session of the Legislature, authorizing a loan of \$2,250,000 to be made by the Commissioners of the Canal Fund during the last fiscal year, and appropriating that amount toward the enlargement of the Erie, the Oswego and the Caying and Soncoa Canals, and for the completion of the Black River and Genesse Valley Curals. In obedience to such law a loan of \$1,000,000 was made on the 12d day of June last, and bids for such stock were received to the amount of \$4,213,000. The required amount of \$1,000,000 was awarded to the highest bidders on such loans, and the sun of \$155,700. Streakled as a premium thereon. On the 21st day of August last a further loan of \$1,230,000, making the gross amount of premiums realized upon such loan \$342,920,920, raking the gross amount of premiums realized upon such loan \$342,920,220, raking the gross amount of premiums realized upon such loan \$342,920,720, which premiums are now securely accessed under the requirements of the bid section of such Act. \$125,000 thereof in Bank Fund Stock at 6 per cent interest, and the balance at 5 per cent, in sundry Banks.

It is highly gratifying to perceive that, notwithstanding the unexampled pressure and stringency in the money market, which has existed for the past year the State loans, thus issued, have commanded such large premiums. It is a striking evidence that the confidence of the public and the capitalists in the ability of the State to meet her cegagoments, and in the propagative prosperity and lacrativeness of her works of internal improvements, remains unabated. The loan of \$1,500,000, authorized to be made to reford to the holders of Canal Revenue Certificates, the amount received into the Treasury thereon, not having as yet been advertised or taken, must be made before the f

Leaving a defenercy of the supplied by a special appropriation out of the revolute of the last fiscal year, as above recommended. metded. FOR SINKING PUNDS FOR CANAL AND GENERAL PUND

The Constitution next requires that there shall be appropriated and set apart in each fined year, out of the revenues of the state Canals, commencing on the first day of June, 1846, the sum of \$1,300,000, until the first day of June, 1846, the sum of \$1,300,000, until the first day of June, 1846, the sum of \$1,300,000, until the first day of June, 1855, and from that time, the sum of \$1,700,000 in each fiscal year, as a sinking fund, to pay the interest and redeem the principal of that part of the State desis called the Canal Dobt, as it existed on the first day of June, 1845, and including \$200,000 then to be burrowed, until the same shall be wholly paid. The publish provisions of that section have created doubts and difference of opinion in relation to the particular date when the enlarged appropriation of \$1,700,000 is to commence.

The phraseology requiring the appropriation to be made in cach fixed year, until the first day of June, 1840, of \$1,300,000 and after that, in each fixed year, the sum of \$1,700,000 is to commence.

The phraseology requiring the appropriation to be made in cach fixed year, until the first day of June, 1840, of \$1,300,000 and after that, in each fixed year, the sum of \$1,700,000 is to commence.

The phraseology requiring the appropriation to be made to a cach fixed year must be limited to one with the other of such smouths, and cannot vary from both.

The fiscal year referred to in that provision of the Constitution, undoubtedly must be the only fiscal year known in the Government, and, as provided by law, commencing on the first day of October, and ending on the 36th day of September.

If the fractional part of the year is taken, and the appropriation is made up to the first day of June, 1855, at the rate of \$1,300,000 per year, it will amount for that principles the rate of \$1,300,000 per year, it will amount for that principles in the first day of June, 1855, at the rate of \$1,300,000 per year, it will amount for that principles in the site of June, 1855, at the trate of \$1,300

tion of \$1,300,000 made by the mest Legislature, for the current fiscal year, will am see the demands of the Constitution. The appropriation of \$1,700,000 is necessary to be appropriated for the next fiscal year, commetcing on the let day of October, 1855. The second section of such stricle of the Constitu-tion, then requires that there shall next be annually appropriated and set apart, towards the Sinking Fued for the extenguishment of the General Fund Debt, the sum of \$250,000.

for the extenguishment of the General Fund Debt, the aum of \$250,000.

TOR INTEREST AND SINKING FUND FOR LOANS.
Section 3 of said article, as amended in the month of March lest, requires that there shall next be appropriated and set apert, in each fiscal year, out of the surplus revenue of the Canals, a sum sufficient to pay the interest, as it falls due, and extinguish the principal within its years, of any lean made under such section.

The Legislature, at its last ression, by chapter 329 of the laws of 1854, after authorizing the leans of \$2,250,600 for the enlargement and completion of the

\$2 250,500 for the enlargement and completion of the Carals, and of \$1,500,000 for the reimbursement of the holders of the Canal Revenue Certificates, pro-vides, in acction 5 of such act, as follows:

wides, in section 5 of such act, as follows:

"After paying the expenses of collection, apperintendence and repairs of the Canala, and the sums directed to be appropriated by the direct and second sections of Article Seventh of the Constitution, there is hereby appropriated, be paid out of the surplus revenues of the Canala, which shall accrue during the present facal year, the sum of \$112.000, or so much irred as shall be necessary to pay the interest, for the our cut year, on the dath that shall be contracted provents to the revisions of the set, and the sum of \$15.000, 700 constitute. Sinn sing Fund our singuish the principal of the said debt, which has mentioned sum, and the interest thereon, as received shall be invested by the Commissioners of the Canaland, in the meanner provided by law, in respect to the investment of the sarplus revenues of the Canal Yand.

The suproprisations in such acction were a intended to

curves shall be invested by the Commissioner of the Canal Fund, in the meaner provided by Jaw, in respect to the lavestment of the surplus revenues of the Canal Fund."

The appropriations in such section were intended to be made, in obedience to that provision of the late amendment of the financial Article of the Constitution, requiring that there shall be appropriated and set apart in each faceal year, out of the surplus revenues of the Canals as a Sinking Fund, a sum sufficient to pay the interest as it falls due, and extinguish the principal, within eighteen years of any loan made under such section.

The appropriation for interest, it will be perceived, appropriates only so much as may be necessary for that purpose, and of that smount \$18,691 23 only has been paid, but the appropriation for the Sinking Fund is of a specific sum, \$155,220 37, a much larger run than would be necessary to meet the requirements of the Constitution, if both the loans thus authorized had been taken during the pastifical year, and consequently too great in a proportionably greater extent, since only one of such loans has been taken. The annual contribution of \$155,820 37, toward a Sinking Fund will in eighteen years, invested at 5 per cent, interest, create a Sinking Fund sufficient to create a Sinking Fund will in eighteen years, invested at 5 per cent, interest, create a Sinking Fund sufficient to create a Sinking Fund of \$15,920 30, to be invested at 5 per cent interest, is sufficient to create a Sinking Fund of \$15,920 30, to be invested at 5 per cent interest, is sufficient to create a Sinking Fund will be principal of a loan of \$43,750,000. And the appropriation of \$75,170 49 annually is sufficient for such Sinking Fund to extinguish in eighteen years to extinguish the principal of a loan of \$2,200.00. And the appropriation of \$15,900.00. And the appropriation is not aware of the manner in which, or the principle ap

to was because during the liscal year endre was because during the liscal year endre was because and the constitution of the Carala under Artier of the Constitution of the Carala under Artier of the Constitution of the Carala under Artiter of the Constitution. This fact opens an important
the succurry in relation to the constitutional duty of those

... \$20,000 520,000 OC

efficers having charge of the Canel funds under such appropriation. Is it their duty to set apart to such Shaking Fund the whole amount thus appropriated, or only so much thereof as is sufficient to meet the requirements of the Constitution I It appears to the Auditor, that inasmuch as the Constitution makes specific appropriations much as the constitution makes specific appropriations, and the constitution of the entire revenue of the Canello and that a departure or variance fusion one of such appropriations, inset necessarily effect the amount left for the other appropriations, that it cannot be in the power of the Lightleiure to appropriate of such revenues to any specific purpose an amount greater than the Constitution actionizes or damands.

If the Legislature have power under such imperative provision to exceed the required amount at all, there can be no into the two which they cannot go; and they may then virtually multiry all the Constitutional provinces for subsequent appropriations. Such carries to the case; and the Auditor is therefore charly of opinion that, to give this law any vitality at all, it must be construed to authorize the appropriation to the Sixking Fund of only so much as may be necessary to meet the requirements of the Constitution in relation to the lowns attually made during the last fixed year. Under such view, the Auditor have set apart, appropriated, and invested for the boned of such Sinking Fund, only the sum of \$16,176 et, a loan of \$2,200,000 only having been made during such year.

The whole amount of leans, therefore, which have

The whole amount of leans, therefore, which have

of such Sinking Fund, only the sum of \$16,170, 49, a loan of \$2,150,000 only having been made during such year.

The whole amount of leans, therefore, which have already been and are now authorized to be made under such section is \$6,000,000. By the last Legislature, the sum of 225,000 was appropriated for the payment of such interest during this year; whether that appropriation will be sufficient or not, will depend upon the time when the Commissioners of the Canal Fund shall determine to make such loans. It is recommended that a further appropriation be nade of \$20,000, or so much as shall be necessary to meet any deficiency in such appropriation.

A sum of \$00,312 at for the present fiscal year must, under the requirements of the Constitution, be appropriated to be set apart to the Sinking Fund for the extinguishment of the principal of the loans, ameaning it all to \$6,000,000, thus made and authorized to be made, during the present fiscal year, under the provisions of such section, it having been omitted by the last Legislature.

Under the provisions of such section, afurther loan of \$6,250,000 will be required to be authorized and made during the next fiscal year, commencing on the lat say of October, 1835, and an appropriation will therefore, be required for such last mentioned fiscal year of \$60,000, or so much thereof as may be necessary for the payment of the interest on all the loans then made under such section, or authorized to be made during such fiscal year, and also the sum of \$275,921,901, to be appropriated and set apart out of the revenues of the canals for such fiscal year to the Sinking Fund for the extinguishment of such loans. Those loans made, and authorized to be made, will then amount to the sum \$8,250,000 to defray the necessary for the payment of the Eugenishment of such loans. These loans made, and surherized to be made, will then amount to the sum \$8,250,000 to defray the necessary of the Sinking Fund for the commissioned in such scaling fine the dependent of the Canals mentioned in

quired to be raised by loan.

SIMMARY APPROPRIATIONS.

The appropriations as made and recommended to be made out of the revenues of the Canals for the present fiscal year are as follows:

Expenses of Collection, Superintendence and Repairs.

For Casal Debt Sinking Fund.

1 300,000 00
For Green's Fund Debt Sinking Fund.

275,000 00
For Interest on Leans.

To General Fund for support of devernment.

200,000 00

Tetal.

The appropriations required and as above recommended for the fiscal year commencing October 1 1855, are as follows:

Expense of Collection, Superintendence and Re

Por Canal Debt Sinking Fund...
For Lenevial Fund Debt, Sinking Fund...
For Interest on boats
For Sinking Fund to eatinguish Principal. &c...
To the General Fund for support of Government...

To the General Fund for support of Government. 206,000 00

To the General Fund for support of Government. 206,000 00

The revenues of the Canals for the last faceal year amousted only to the sum of \$2,988,665 21.

ABILITY OF THE CANALS IN FUTURE TO HEAT CONSTITUTIONAL CHARGES UPON THEIR REVENUES.

It is supposed that such revenues for the post faceal year canted be a fair index of what may be anticipated for the future. There are many circumstances of a temporary character, which have operated to affect the business of the Canals, and have thrown their receipts far behind those of other years, which can be hardly anticipated to operate with the ame force, or to the same extent again. Unusually short crops in the West have lessened the amount of transportation, the great and unexampled stringency in the money market has extended its blighting effect upon the internal trade and commerce of the country, and seriously affected the business of transportation, and at the same time the unusual and long continued drouth, drying up the resources and reservoirs for supplying the Canals with water, has created unusual difficulties and impediments to the navigation, which by causing drying up the resources and reservoirs for applying the Canale with water, has created unumatificalities and impediments to the navigation, which by causing delays and ancertainty in the time for transportation, has driven off much freight to other and rival route not affected thereby. Such are undoubtedly some of the causer, which have to a great extent occasioned the diminution of the revenues. It is exceedly possible that the same can thus operate to a similar extent for another year. And the last year cannot therefore properly be taken as a basis upon which to calculate for the future.

Two out of the ordinary seven months of navigation for the current faceal year have aircady elapsed, with celly a trifling increase over the corresponding season of the last fiscal year. But during such time some of the untoward circumstances, which operated to dimin-

only a triling increase over the corresponding season of the last fiscal year. But during such time some of the autoward circumstances, which operated to diminish the tolls for the past fiscal year, still continued, with equal if not increased force, and necessarily affected the revenues. But it is confidently expected that with the return of commercial prosperity is the spring, and the increase of business consequent thereon, and necessarily flowing from the free interchange of commodities between this country and the Canadas, under the treaty for reciprocal trade, the revenues of the Canada must increase and that there will be no deficiency for the present fiscal year. Still all such expectations may be disappointed, and with the fact before him that an increase of tolls, of more than \$400,000 over the tolls of the past fiscal year, is necessary to enable the Canals to meet all the charges upon tham for the current fiscal year, the Anditor will not, particularly with the experience of the past year before him, venture to make the usual quarterly advances to the General Fund of the amount appropriated for the support of Government; but will leave it to be made, as the Constitution affihorizes him to do, until after the end of the fiscal year, before which it cannot be accertained definitely whether the whole, or if not, what proportion, if any, of such \$200,000 can be paid.

an be paid.

For the fiscal year commencing the first day of Octo

1855 in all human probability, there must be a

For the fiscal year commencing the first day of October, 1855, in all human probability, there must be a large denciency, and it cannot be anticipated that the revenues can, or will, be increased, within that time, to such an extent so to meet all the demands which will then be upon them. It will require an increase is the tolls of about \$900.000 over those of the last fiscal year, which is beyond hope.

The demand for the next fiscal year is increased by the addition of \$400.000 to the appropriation for the Cenal Debt Sinking Fund, which increase commences with that fiscal year. It is much to be regretted that the charges upon the Canals should be thus swollen by such increased appropriation without any immediate necessity therefor. Through the means of it, there is no doubtthat the General Fund appropriation, at least, must then so unsatisfied, and, in all probathere is no doubt that the General Fund appropriation, at least, must then so unsatisfied, and, in all probability, a defedency left in the provisions for the Sinking Fund. Such deficiency, so far as the Sinking Fund is concerned, is perhaps, of but little moment; for, with a speedly-enlarged Canal, and the facilities afforded by it, such arrearages will, probably, soon be made up; but the loss of the contribution toward the General Fund puts a usuless burden upon the people—uselies, as being occasioned by unnecessarily tying up a large amount of the revenues, act that they are available only for future use; when they are needed for the present.

All of which is respectfully submitted.

M. SCHOONMAKER, Additor.